

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA, :

-v- : **07 Cr. 1150 (VM)**

ARSENIO RODRIGUEZ, :

Defendant.

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PLEASE TAKE NOTICE, that upon the attached Memorandum of Law and the Declaration of MITCHELL DINNERSTEIN, and the declaration of the defendant ARSENIO RODRIGUEZ, sworn to on the 21day of April, 2008, will move this Court, before the Honorable Judge Victor Marrero, U.S.D.J., Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, at such time as the Court designates, for an Order directing:

1. A hearing pursuant to F. R. Cr. P. 12 to determine the admissibility of evidence gathered during the stop and search and seizure of ARSENIO RODRIGUEZ on April 28, 2004, and
2. For such other and further relief as this Court may deem just and proper.

Dated: New York, New York
April 21, 2008

/s/ Mitchell Dinnerstein
MITCHELL DINNERSTEIN, ESQ.
Attorney for Defendant Rodriguez
350 Broadway, Suite 700
New York, New York 10013
(212)-925-0793

cc.: Clerk of the Court

United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

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